

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

HAZEL WILLIAMS

v.

ALLEN M. LAMBRIGHT, AS
SUBSTITUTE TRUSTEE, ET AL.

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Civil Action No. 4:19-CV-342

(Judge Mazzant/Judge Nowak)

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On January 22, 2020, the report of the Magistrate Judge (Dkt. #23) was entered containing proposed findings of fact and recommendations that Plaintiff's Emergency Motions (Dkts. #6; #7; #8; #9) be denied as moot, Plaintiff's "Motion for Adequate Assurance of Due Performance and for a More Definite Statement pursuant to FED. R. CIV. P. 12(E)" (Dkt. #10) be denied, Defendants' Motion to Dismiss (Dkt. #21) be granted, and Plaintiff's suit be dismissed for lack of jurisdiction and failure to state a claim.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is therefore **ORDERED** that Plaintiff's Emergency Motions (Dkts. #6; #7; #8; #9) are **DENIED AS MOOT**.

It is further **ORDERED** that Plaintiff's "Motion for Adequate Assurance of Due Performance and for a More Definite Statement pursuant to FED. R. CIV. P. 12(E)" (Dkt. #10) is **DENIED**.

It is finally **ORDERED** that Defendants' Motion to Dismiss (Dkt. #21) is **GRANTED**. Plaintiff's claims for injunctive relief and under the federal and/or state debt collection acts are **DISMISSED** for lack of jurisdiction; Plaintiff's claim to compel arbitration is **DISMISSED** for failure to state a claim.

All relief not previously granted is hereby denied.

The Clerk is directed to close this civil action.

IT IS SO ORDERED.

SIGNED this 26th day of February, 2020.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE